

2016 Regular Session

HOUSE BILL NO. 57

BY REPRESENTATIVE LEGER

1 AN ACT

2 To amend and reenact R.S. 11:3363(B), relative to employee contributions in the Fire
3 Fighters' Pension and Relief Fund in the city of New Orleans; to provide with respect
4 to the regularity and amount of such contributions; to provide with respect to consent
5 to such deductions; to provide relative to the establishment of an "employer pick-up"
6 plan within the system in accordance with Internal Revenue Code provisions; to
7 provide relative to the transfer of such contributions to the system; to provide relative
8 to the powers and duties of the board with respect to such contributions; to provide
9 relative to member rights relative to such contributions; and to provide for related
10 matters.

11 Notice of intention to introduce this Act has been published
12 as provided by Article III, Section 13 and Article X, Section
13 29(C) of the Constitution of Louisiana.

14 Be it enacted by the Legislature of Louisiana:

15 Section 1. R.S. 11:3363(B) is hereby amended and reenacted to read as follows:

16 §3363. Powers of board; assessment of members; determination of applications for
17 benefits

18 * * *

19 B.(1) The board shall assess each member of the fire department not less
20 than ten percent of his ~~salary~~ compensation allowed as salary, to be deducted
21 ~~monthly~~ each pay period, the same to be placed by the secretary-treasurer to the
22 credit of the fund subject to the orders of the board.

23 (2) The city of New Orleans shall automatically deduct such contributions
24 from the member's compensation allowed as salary each pay period. Such deduction
25 shall not be optional. Payment of any amount, allowance, withdrawal, or other

1 benefit pursuant to the provisions of this Part shall constitute a discharge and release
2 of any claim or demand related to such deduction.

3 (3) At least once per month, the city of New Orleans shall remit all member
4 contributions directly to the system.

5 (4) Member contributions required by this Subsection are intended to be
6 "pick-up contributions" and shall be made and administered in the manner prescribed
7 under Section 414(h) of the Internal Revenue Code.

8 (5) Member contributions required by this Subsection shall be deemed part
9 of the member's compensation allowed as salary for purposes of determining benefits
10 and whether such compensation allowed as salary is less than the minimum amount
11 required by law. Payment to a member of his compensation allowed as salary shall
12 be deemed to discharge and acquit the fire department and the city with respect to
13 services rendered by such member during such period, except as to any prospective
14 claim for benefits or payments pursuant to the provisions of this Part.

15 (6) The board of trustees shall adopt procedures and guidelines as it deems
16 necessary and appropriate for the collection, remittal, and reporting of member
17 contributions.

18 * * *

19 Section 2. This Act shall become effective upon signature by the governor or, if not
20 signed by the governor, upon expiration of the time for bills to become law without signature
21 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
22 vetoed by the governor and subsequently approved by the legislature, this Act shall become
23 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____